



Attorney Docket No. ICOR-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Michael Tari, et al.

Serial No.: 10/014,864

Examiner: Unknown

Filed: 12/11/2001

Group Art Unit: Unknown

For: Method and System for Requesting Prices for
Electronic Trading of Financial Investments

DECLARATION IN SUPPORT OF PETITION UNDER 37 CFR 1.47(a)

Address to:

Commissioner for Patents and Trademarks
Washington, D.C. 20231

I, Susan Hinko, declare as follows:

On or about March 25, 2002, I sent via certified mail, a copy of the above-identified application, along with a corresponding declaration, via certified mail, to Mr. Michael Tari at his last know address of 431 West 44th Street, Apt. 3, New York, NY 10036.

On or about March 25, 2002, I sent via certified mail, a copy of the above-identified application, along with a corresponding declaration, via certified mail, to Mr. Christopher Dias at his last known address of 138 Overlook Terrace, Bloomfield, NJ 07003.

On or about March 25, 2002, I sent via certified mail, a copy of the above-identified application, along with a corresponding declaration, via certified mail, to Mr. Darius Gagne at his last know address of 10358 Mississippi Avenue, Los Angeles, CA 90025.

On or about March 25, 2002, I sent via certified mail, a copy of the above-identified application, along with a corresponding declaration, via certified mail, to Mr. Michiya Handa at his last known address of 121 East 12th Street, Apt. 3C, New York, NY 10003.

The certified mail packages for Mr. Dias and Mr. Handa were signed for and delivered. Copies of the signed certified mail cards are attached as Exhibits A and B, respectively.

The certified mail packages for Mr. Tari and Mr. Gagne were returned. Copies of the certified mail envelopes are attached as Exhibits C and D, respectively.

On or about the end of May 2002, I telephoned Mr. Tari at his home number concerning the application. He acknowledged receiving the express mail notification but had not picked up the documents. I offered to send them again via another means at which point Mr. Tari informed me that he was not available to discuss this matter.

On April 23, 2002, Mr. Gagne requested that I forward the application to him via regular mail. A copy of Mr. Gagne's instructions are attached as Exhibit E.

On April 24, 2002, a second copy of the application and corresponding declaration were forwarded to Mr. Gagne via regular mail at his request. A copy of that letter is attached as Exhibit F.

On April 23, 2002, I sent an electronic communication to Mr. Handa asking him if I could send the documents to a different location for his convenience. Mr. Handa picked up his package on April 24, 2002 and did not respond to my communication. A copy of that communication is attached as Exhibit G.

As of the date below, we have not received the executed papers from Mssrs. Tari, Dias, Gagne or Handa.

I acknowledge a duty to disclose information which is material to the examination of this application in accordance with 1.56(a).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated August 21, 2002.

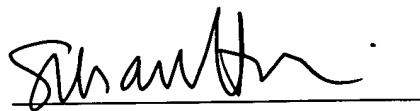
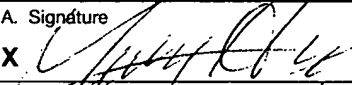

Susan Hinko



Exhibit A
Certified Mail Signature for Mr. Dias



Exhibit B
Certified Mail Signature for Mr. Handa

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
	B. Received by (Printed Name) MICHIEA HANDA
	C. Date of Delivery 4/24/02
1. Article Addressed to: Michiya Handa 121 East 12th St New York, NY 10003	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No
	2. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

2. Artic
(Trar
PS For

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Exhibit C
Copy Certified Mail Envelope to Mr. Tari

SENDER: COMPLETE THIS SECTION

- Complete 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael J. Tari
431 West 44th St. #3
New York, NY 10036

2. Article Number

(Transfer from service label)

7000 1670 0003 9468 1839

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



UNCLAIMED

~~CERTIFIED MAIL
PERSONAL & CONFIDENTIAL~~
10
Michael J. Tari
431 West 44th Street, #3
New York, NY 10036

Jeff Larsen
CEO
ICOR Brokerage
500 Fifth Avenue, Suite 320
New York, NY 10110



7000 1670 0003 9468 1839

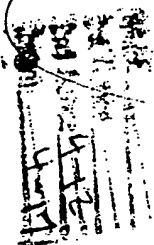


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10036



Handwritten signature and date 3/27/02.



U.S. POSTAGE
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NEW YORK, NY
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BROKERAGE

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor, if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD AND SYSTEM FOR REQUESTING PRICES FOR
ELECTRONIC TRADING OF FINANCIAL INSTRUMENTS**

and for which a patent application:

- ☐ is attached hereto (and includes amendment(s) filed on _____ (if applicable))
- ☒ was filed in the United States on December 11, 2001 as Application Serial No. 10/014,864,
with amendment(s) filed on _____ (if applicable)
- ☐ was filed as PCT International Application No. _____ on _____ and was amended under PCT Article 19
on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. § 119 (a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application on this invention filed by me or my legal representatives or assignees and having a filing date before that of the application on which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/254,680	DECEMBER 11, 2000

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Daniel A. Devito (32,125), Edward V. Filardi (25,757), David W. Hansen (38,910), Constance S. Huttner (35,903), Ronald S. Laurie (25,431), Robert B. Smith (28,538), Robert B. Beyers (46,552), Meir Y. Blonder (40,517), Ian R. Blum (42,336), John L. Dauer, Jr. (39,953), Jose Esteves (41,011), Michael D. Fabiano (44,675), Stacey J. Farmer (42,526), Di Jiang-Schuerger (44,806), Frederick D. Kim (38,513), Thomas R. Lane (42,718), Daniel J. Lin (47,750), Douglas R. Nemec (41,219), Guy Perry (46,194), Constance F. Ramos (47,883), Andrew F. Strobert (35,375), Todd J. Tiberi (37,455), Joseph Yang (41,387), and Matthew B. Zisk (45,257), all of Skadden, Arps, Slate, Meagher & Flom LLP, whose address is Four Times Square, New York, NY 10036.

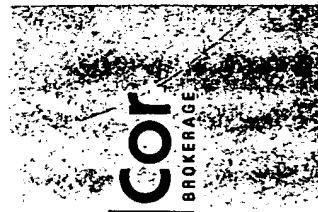
SEND CORRESPONDENCE TO: Skadden, Arps, Slate, Meagher & Flom LLP
Four Times Square
New York, NY 10036
PTO Customer No. 26137

DIRECT TELEPHONE CALLS TO:
ANDREW F. STROBERT
212-735-3272

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	FULL NAME OF INVENTOR	Last Name TARI	First Name MICHAEL	Middle Name J.	
	RESIDENCE AND CITIZENSHIP	City NEW YORK	State or Foreign Country NEW YORK	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	Street 431 WEST 44th ST. #3	City NEW YORK	State or Country NEW YORK	Zip Code 10036
Signature of Inventor				Date	
2	FULL NAME OF INVENTOR	Last Name TOGLIA	First Name ANGELO	Middle Name M.	
	RESIDENCE AND CITIZENSHIP	City COS COB	State or Foreign Country CONNECTICUT	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	Street 28 A BUTLER STREET	City COS COB	State or Country CONNECTICUT	Zip Code 06807
Signature of Inventor				Date	
3	FULL NAME OF INVENTOR	Last Name DIAS	First Name CHRISTOPHER	Middle Name J.	
	RESIDENCE AND CITIZENSHIP	City BLOOMFIELD	State or Foreign Country NEW JERSEY	Country of Citizenship CANADA	
	POST OFFICE ADDRESS	Street 138 OVERLOOK TERRACE	City BLOOMFIELD	State or Country NEW JERSEY	Zip Code 07003
Signature of Inventor				Date	
4	FULL NAME OF INVENTOR	Last Name GAGNE	First Name DARIUS	Middle Name	
	RESIDENCE AND CITIZENSHIP	City NEW YORK	State or Foreign Country NEW YORK	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	Street 30 WEST 63rd ST. #23L	City NEW YORK	State or Country NEW YORK	Zip Code 10023
Signature of Inventor				Date	

5	FULL NAME OF INVENTOR	Last Name HANDA	First Name MICHIYA	Middle Name	
	RESIDENCE AND CITIZENSHIP	City NEW YORK	State or Foreign Country NEW YORK	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	Street 121 EAST 12th ST. #3C	City NEW YORK	State or Country NEW YORK	Zip Code 10003
Signature of Inventor				Date	
6	FULL NAME OF INVENTOR	Last Name CHRISS	First Name NEIL	Middle Name A.	
	RESIDENCE AND CITIZENSHIP	City NEW YORK	State or Foreign Country NEW YORK	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	Street 121 READE ST. #10B	City NEW YORK	State or Country NEW YORK	Zip Code 10013
Signature of Inventor				Date	
7	FULL NAME OF INVENTOR	Last Name LARSEN	First Name JEFFREY	Middle Name R.	
	RESIDENCE AND CITIZENSHIP	City GREENWICH	State or Foreign Country CONNECTICUT	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	Street 5 LAUDER WAY	City GREENWICH	State or Country CONNECTICUT	Zip Code 06830
Signature of Inventor				Date	
8	FULL NAME OF INVENTOR	Last Name	First Name	Middle Name	
	RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS	Street	City	State or Country	Zip Code
Signature of Inventor				Date	



5 Avenue, Suite
K, NY 10110

Michael J. Tari
431 West 44th Street, #3
New York, NY 10036

REGULAR MAIL

Jeff Larsen
CEO
ICOR Brokerage
500 Fifth Avenue, Suite 320
New York, NY 10110





Exhibit D
Copy Certified Mail Envelope to Mr. Gagne

SENDER: COMPLETE THIS SECTION

- Complete items 1 and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse that we can return the card to you.
- Attach this card to the back of the mailpiece, or the front if space permits.

1. Article Number

Darius Stagne
10358 Mississippi Avenue
Los Angeles, CA 90025

2. Article Number
 (Transfer from service label)

7000 1670 0003 9468 2164

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

BROKERAGE

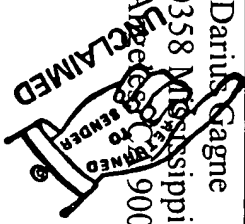
CERTIFIED MAIL

PERSONAL & CONFIDENTIAL

Darius Stagne

10358 Mississippi

Los Angeles, CA 90025



Jeff Larsen

CEO

ICOR Brokerage

500 Fifth Avenue, Suite 320

New York, NY 10110



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Exhibit E
Correspondence from Mr. Gagne

Hinko, Susan

From: Gagne, Darius [Darius.Gagne@pimco.com]
Sent: Tuesday, April 23, 2002 6:44 PM
To: Hinko, Susan
Subject: RE: Patent Assignment

great to hear from you!

Like I told Joe, I never received anything (apart from the regular mail items). Is this regarding that slip I got under my door for me to go to the post office -- there's something apparently waiting for me there? If so, pls just send it regular mail to my house...everything else reaches me fine (and more successfully) that way.

I'll call to chat some time soon. D.

-----Original Message-----

From: Hinko, Susan [mailto:Susan.Hinko@ICorBroker.Com]
Sent: Tuesday, April 23, 2002 3:21 PM
To: Gagne, Darius
Subject: Patent Assignment

Dear Darius: I hear from Mitch and Ben that you are enjoying California and have a lovely new home so I guess the move was the right decision for you.

And I hear Oscar is thriving as well. You wouldn't believe the place these

days - I don't even know everyone that works here anymore! But the system is

actually rolled out and working in Asia.

Very exciting news about Mitch going to Japan- I hope he will enjoy his time there.

I am writing to follow up on a letter we sent registered mail regarding assignment of the RFP patent. I know it may be a hassle for you to pick it

up so if you would prefer, I could Fed Ex it to you at work. Let me know what would be convenient for you.

If you have any questions, please don't hesitate to give me or Jeff a call.

Thanks for your help with this.

Regards,
Susan

Susan Hinko
Director of Industry Relations
ICor Brokerage - A Reuters Venture
Direct Dial: 646 825-7821
E-mail: susan.hinko@icorbroker.com

This e-mail transmission is strictly confidential and intended solely for the person or organisation to whom it is addressed. It may contain privileged and confidential information and if you are not the intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this e-mail in error, please notify us as soon as possible and delete it.



Exhibit F

Copy of April 24, 2002 Letter to Mr. Gagne
Enclosing Application and Corresponding Declaration

ICor Brokerage Inc.
500 Fifth Avenue, Suite 320
New York, NY 10110



April 24, 2002

Darius Gagne
10358 Mississippi Avenue
Los Angeles, CA 90025

Dear Darius:

As we have moved ahead with the deployment of the ICor system, we have decided to pursue certain of the patent filings that we had made a while back. One of these is the RFP patent on which you were listed as an inventor.

In order to proceed with the patent, as with the other patents we pursued with which you were involved, it is necessary for the inventors to assign the patent to ICor Brokerage Inc. I am enclosing two documents for your signature to complete the assignment. This is actually a procedural formality since, under your employment agreement, ICor does retain the invention – in this case of the RFP feature – for its own use. However, the assignment does preserve your status as an inventor.

I know that working on the development of the system was a very exciting process for all of us, and your contribution was important. As an inventor, even after assignment, you will be able to discuss this achievement in your professional pursuits, as well as note it on your resume.

I would appreciate it if you could sign the documents where indicated and return them in the envelope provided. You can have a witness sign where indicated or I can sign it when it's returned. I will give you a call to discuss any questions you may have in the meantime. I hope that you are well and enjoying your current activities. I look forward to speaking with you soon, and I appreciate your help with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Larsen".

Jeff Larsen

Exhibit G
Copy of April 23, 2002 Electronic
Communication to Mr. Handa

Hinko, Susan

From: Hinko, Susan
Sent: Tuesday, April 23, 2002 6:39 PM
To: 'mitchhanda@hotmail.com'
Subject: Living La Vida Loca

So how do you like it? I hope you are getting used to things in your native land and enjoying it. We saw Ben recently and he looks great. Jeff had sent you a certified mail to get your signature for the assignment of the RFP patent, but I know you weren't there to pick it up. So I wondered if I could resend it to Tokyo or even fax it to you. Or will you be back soon to pick it up in NY?

Please let me know what I should do with the info so you actually get it.

I was in Berlin last week at the ISDA AGM and saw Yasuko. I guess she will be back in Tokyo later this week.

Let me know how things are going and when you'll be in NY again.

Regards,
Susan

Susan Hinko
Director of Industry Relations
ICor Brokerage - A Reuters Venture
Direct Dial: 646 825-7821
E-mail: susan.hinko@icorbroker.com